

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PERCY F. NEWBY,
LAWN LIMITED,
MGMT LIMITED,
CHURCH OF GOD AND APOSTLES, and

THURSTON COUNTY,

Defendants.

Case No. 3:18-cv-05978-MJP

**ORDER TO AUTHORIZE THE
SALE OF THE THOMPSON
CREEK PROPERTY**

The United States has moved the Court for an order authorizing the sale of real property identified as the Thompson Creek Property and located at 22306 Thompson Creek Road SE, Tenino, WA 98589, bearing Thurston County Parcel No. 21519340000, and described more particularly as follows:

Parcel A of Boundary Line Adjustment No. BLA-1832 as recorded August 14, 1996 under Auditor's File Nos. 3046345 and 3046346 in Thurston County, Washington.

Abbreviated Legal Description: Section 19 Township 15 Range 1E
Quarter SE SW & SW SE BLA-1832 TR A Document 3046346.

Based on the United States' motion and 26 U.S.C. §§ 7402(a) and 7403(d), it
is hereby ORDERED that:

1. The sale of the Thompson Creek Property for a purchase price of \$134,000 to Judy Fleischman is authorized. Upon the receipt of the purchase price, the receiver is directed to execute the attached receiver's deed transferring title of the Thompson Creek Property to Judy Fleischman, or as directed by her.
2. The sale shall be free and clear of any existing rights, titles, claims, liens, or interest of the Receiver or any of the parties to this action to wit:
 - a. Percy Newby
 - b. Lawn Limited
 - c. MGMT Limited
 - d. Church of God and Apostles
 - e. The United States' federal tax liens
3. Consistent with this Court's Order Appointing Receiver, (Dkt. No. 134), at closing, the Receiver shall be compensated \$9,380 (7% of the gross purchase price), and the reasonable and necessary costs of sale actually incurred from the proceeds of sale. The Receiver shall deposit the net proceeds in the Court Registry, subject to further order of this Court distributing the remaining proceeds of sale.

- 1 4. The Receiver is authorized to sign all necessary documents and make all
- 2 distributions consistent with this Order.
- 3 5. In the event that Judy Fleischman fails to pay over the full purchase price
- 4 for the Thompson Creek Property to the Receiver within 60 days of this
- 5 order, she will forfeit any initial deposit she made, and the Receiver may
- 6 continue to market the property to other prospective buyers pursuant to
- 7 the Order Appointing Receiver.

8 IT IS SO ORDERED.

9 Dated this 26th day of January, 2021.

11 

12 MARSHA J. PECHMAN

13 United States District Judge

1 Presented by:

2 RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General

3 /s/ Dylan C. Cerling _____
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